

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-THIRD LEGISLATIVE DAY**

Helena, Montana
March 23, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Wilson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Brockie, McNiven, and Swanson, excused. Quorum present.

BILLS (O'Hara, Chair):

3/23/2013

Correctly printed: **HB 76, HB 303, HB 580, HB 606, HB 607, HB 620, HB 621, HB 622, HB 623, HB 624, HB 625, HB 626, HB 627, HB 628, HB 629, SB 11, SB 18, SB 48, SB 122, SB 133, SB 182, SB 191, SB 203, SJR 13.**

Correctly engrossed: **HB 86, HB 135, HB 354, HB 377, HB 454, HB 576, HB 599, HB 604, SB 194.**

Correctly enrolled: **HB 72, HB 91, HB 105, HB 125, HB 247.**

Examined by the sponsor and found to be correct: **HB 489.**

Transmitted to the Senate: **HB 489.**

Signed by the President at 11:05 a.m., March 26, 2013: **HB 50, HB 110, HB 224, HB 232, HB 278, HB 280, HB 302, HB 469.**

Delivered to the Governor for approval at 8:20 a.m., March 23, 2013: **HB 140, HB 163, HB 325, HB 360.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

3/22/2013

HB 354, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "REQUIRING" through "ACCOUNT;"

2. Title, page 1, line 7.

Strike: "ONLY"

3. Title, page 1, line 11.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

4. Page 2, line 29.

Following: "transfers"

Insert: ", but money may not be transferred out of the account"

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

5. Page 2, line 30.

Strike: "\$25"

Insert: "\$30"

6. Page 3, line 1.

Strike: "\$25"

Insert: "\$30"

7. Page 3, lines 2 through 4.

Strike: "Money" on line 2 through "legislature." on line 4

8. Page 3, line 6.

Following: "expenses for"

Insert: "suppression of fires, fuel reduction and mitigation, and forest restoration."

9. Page 3, line 8.

Strike: line 8

10. Page 3, line 9.

Following: line 8

Insert: "(5) Up to \$5 million each biennium may be used for the purposes of fuel reduction and mitigation and forest restoration."

Renumber: subsequent subsections

11. Page 3, lines 13 and 14.

Strike: subsection (7) in its entirety

12. Page 3, line 17.

Following: line 16

Insert: "NEW SECTION. **Section 4. Termination.** [This act] terminates June 30, 2019."

And, as amended, do pass. Report adopted.

HB 377, introduced bill, be amended as follows:

1. Page 13, line 7.

Strike: "AND"

2. Page 13, line 9.

Following: "YEARS"

Insert: "; and (iii) the guaranteed annual benefit adjustment has been increased to the maximum allowed under 19-20-719"

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

And, as amended, do pass. Report adopted.

HB 454, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 13.

Strike: "PROVIDING" on line 6 through "FUND;" on line 13.

2. Title, page 1, line 15 through line 16.

Strike: "PROVIDING" on line 15 through "BIENNIUM;" on line 16

3. Title, page 1, line 17.

Strike: "15-35-108, 17-5-703,"

Insert: "17-7-502,"

4. Title, page 1, line 17 through line 18.

Strike: "AMENDING" on line 17 through "2011;" on line 18

Insert: "REPEALING SECTION 19-3-319, MCA;"

5. Page 2, line 25 through page 9, line 20.

Strike: section 1 through section 2 in their entirety

Insert: "**Section 1.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; ~~19-3-319~~; 19-3-316; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-230; 87-1-603; 87-1-621; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 17, Ch. 593, L. 2005, and sec. 1, Ch. 186, L. 2009, the inclusion of 15-31-906 terminates January 1, 2015; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 8, Ch. 330, L. 2009, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 8, Ch. 427, L. 2009, the inclusion of 87-1-230 terminates June 30, 2013; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 47, Ch. 19, L. 2011, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; and pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017.)"

Renumber: subsequent sections

6. Page 10, line 24.

Following: "rates"

Insert: "-- supplemental employer and general fund contributions -- statutory appropriation"

7. Page 10, line 24 through line 25.

Strike: "Except" on line 24 through "the" on line 25

Insert: "The"

8. Page 10, line 25.

Strike: "6.9%"

Insert: "6.8%"

9. Page 10, line 26.

Strike: "additional"

Insert: "supplemental employer"

Strike: "(3)"

Insert: "(2)"

10. Page 11, line 1 through line 16.

Strike: subsection (2) through (4) in their entirety

Insert: "(2) Subject to subsection (3), each employer and the general fund shall contribute to the system a supplemental contribution equal to a percentage of the compensation paid to all of the employer's employees, except those employees properly excluded from membership, as follows:

(a) on the compensation of state agency employees, including the university system:

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

- (i) beginning July 1, 2013, through June 30, 2015, 1.37% by the employer and 3.5% by the general fund;
- (ii) beginning July 1, 2015, through June 30, 2016, 2.07% by the employer and 2.8% by the general fund;
- (iii) beginning July 1, 2016, through June 30, 2017, 2.77% by the employer and 2.1% by the general fund;
- (iv) beginning July 1, 2017, through June 30, 2018, 3.47% by the employer and 1.4% by the general fund;
- (v) beginning July 1, 2018, through June 30, 2019, 4.17% by the employer and 0.7% by the general fund; and
- (vi) beginning July 1, 2019, 4.87% by the employer;
- (b) on the compensation of local government employees:
 - (i) beginning July 1, 2013, through June 30, 2015, 1.27% by the employer and 3.6% by the general fund;
 - (ii) beginning July 1, 2015, through June 30, 2016, 1.47% by the employer and 3.4% by the general fund;
 - (iii) beginning July 1, 2016, through June 30, 2017, 1.67% by the employer and 3.2% by the general fund;
 - (iv) beginning July 1, 2017, through June 30, 2018, 1.87% by the employer and 3.0% by the general fund;
 - (v) beginning July 1, 2018, through June 30, 2019, 2.07% by the employer and 2.8% by the general fund; and
 - (vi) beginning July 1, 2019, 2.27% by the employer and 2.6% by the general fund;
- (c) on the compensation of school district employees:
 - (i) beginning July 1, 2013, through June 30, 2015, 1.0% by the employer and 3.87% by the general fund;
 - (ii) beginning July 1, 2015, through June 30, 2016, 1.2% by the employer and 3.67% by the general fund;
 - (iii) beginning July 1, 2016, through June 30, 2017, 1.4% by the employer and 3.47% by the general fund;
 - (iv) beginning July 1, 2017, through June 30, 2018, 1.6% by the employer and 3.27% by the general fund;
 - (v) beginning July 1, 2018, through June 30, 2019, 1.8% by the employer and 3.07% by the general fund; and
 - (vi) beginning July 1, 2019, 2.0% by the employer and 2.87% by the general fund.
- (3) (a) When the system is 90% funded as of the latest actuarial valuation and the guaranteed annual benefit adjustment has been increased to the maximum allowed under 19-3-1605, the board shall decrease the contribution percentages provided in subsection (2) by a total percentage that will provide that the system is not less than 85% funded. Two-thirds of the total percentage decrease must be applied to the general fund contribution and one-third of the total percentage decrease must be applied to the employer contribution. If the general fund contribution is too low to be reduced by the two-thirds, the general fund contribution must be decreased to zero and the remainder of the total reduction must be applied to the employer contribution. If the general fund contribution is zero, the total percentage reduction must be applied entirely to the employer contribution.
- (4) The general fund supplemental contributions under subsection (2) are statutorily

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

appropriated, as provided in 17-7-502, on an annual basis from the general fund to the system's pension trust fund."

11. Page 13, line 25 through line 26.

Strike: "on" on line 25 through "order" on line 26

Insert: "the employer portion of the supplemental contribution provided for in 19-3-316(2) must be allocated as follows"

12. Page 13, line 27.

Following: "(i)"

Insert: "0.27% of compensation must be allocated"

13. Page 13, line 27.

Following: "liability"

Insert: "until it has been fully paid"

14. Page 13, line 28.

Following: "(ii)"

Insert: "when the plan choice rate unfunded actuarial liability has been fully paid, 0.27% must be allocated"

15. Page 13, line 29 through line 30.

Strike: "on" on line 29 through "compensation" on line 30

Insert: "the remainder of the employer supplemental contribution and the general fund supplemental contribution under 19-3-316(2)"

16. Page 14, line 5 through page 15, line 2.

Strike: section 7 through section 10 in their entirety

Insert: "NEW SECTION. Section 6. Repealer. The following section of the Montana Code Annotated is repealed:

19-3-319. State contributions for local government and school district employers."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 580, do pass. Report adopted.

HB 599, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "THE GENERAL FUND"

Insert: "A STATE SPECIAL REVENUE ACCOUNT"

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

2. Page 1, line 13.

Strike: "general fund"

Insert: "department of transportation highway nonrestricted state special revenue fund"

3. Page 1, line 26.

Following: "commerce"

Insert: "and the transportation commission provided for in 2-15-2502"

4. Page 2, line 4.

Strike: "general fund"

Insert: "department of transportation highway nonrestricted state special revenue fund"

5. Page 2, line 5.

Insert: "NEW SECTION. **Section 6. Contingent voidness.** If the department of transportation does not designate the West Fork Road a state secondary highway by June 30, 2015, then [this act] is void."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 606, do pass. Report adopted.

EDUCATION (Hansen, Chair):

3/22/2013

HB 86, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: "Each"

Insert: "To be eligible for funding under this section, each"

2. Page 1, line 23.

Following: "reporting"

Insert: "by May 1, 2013"

And, as amended, do pass. Report adopted.

HB 135, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "schools"

Insert: "and such other educational institutions, public libraries, and educational programs as may support or improve the basic system"

2. Page 1, line 19.

Strike: "shall"

Insert: "may"

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

3. Page 2, line 1.

Strike: "and"

Insert: "(c) a presiding officer appointed by agreement by the president of the senate and the speaker of the house; and"

Renumber: subsequent subsections

4. Page 2, line 6 through line 7.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 576, introduced bill, be amended as follows:

1. Page 2, line 17.

Strike: "has the meaning provided in 20-26-603"

Insert: "means a unit of the Montana university system, as defined in 20-25-201, or a Montana community college, defined and organized as provided in 20-15-101"

And, as amended, do pass. Report adopted.

SB 191, be concurred in. Report adopted.

SB 203, be concurred in. Report adopted.

SJR 13, be concurred in. Report adopted.

HUMAN SERVICES (Howard, Chair):

3/22/2013

HB 604, introduced bill, be amended as follows:

1. Page 2.

Following: line 5

Insert: "(b) The public members must be selected as follows:

(i) one representative of a hospital;

(ii) one primary care physician;

(iii) one health insurer with significant experience doing business in Montana;

(iv) one member of the executive branch, selected from a list of nominees submitted by the governor; and

(v) two members of the public with business or health policy experience."

Renumber: subsequent subsections

2. Page 2, line 8.

Strike: "April 27, 2013"

Insert: "May 30, 2013"

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

3. Page 2, line 28.

Strike: "and"

4. Page 2, line 30.

Strike: "in order" through "status"

Insert: "; and

(d) opportunities for reducing or minimizing the shifting of payment for unreimbursed health care costs to patients with private insurance"

5. Page 3, line 27 through page 4, line 2.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

And, as amended, do pass and be placed on the consent calendar. Report adopted.

TRANSPORTATION (Lavin, Chair):

3/22/2013

HB 607, do pass. Report adopted.

SB 182, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in:

3/22/2013

SB 189, introduced by Webb

House bills concurred in and returned to the House:

3/22/2013

HB 72, introduced by MacDonald

HB 91, introduced by Lynch

HB 105, introduced by Steenberg

HB 125, introduced by O'Hara

HB 247, introduced by Lavin

MESSAGES FROM THE GOVERNOR

March 22, 2013

The Honorable Mark Blasdel

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Speaker Blasdel:

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

Please be informed that I have signed **House Bill 199** sponsored by Representative Noonan, **House Bill 261** sponsored by Representative Berry, and **House Bill 264** sponsored by Representative Ingraham on March 22, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 620, introduced by Lynch, Augare, B. Bennett, Blasdel, Blewett, Boland, Buttrey, Clark, Cook, Curtis, Eck, Hill, Jacobson, L. Jones, Keane, MacDonald, McClafferty, McNally, Olson, Schreiner, Schwaderer, Sesso, Shaw, B. Smith, Welborn, Wilson, referred to Taxation.

HB 621, introduced by Edmunds, referred to Appropriations.

HB 622, introduced by Bangerter, Thomas, referred to Human Services.

HB 623, introduced by Bangerter, referred to Human Services.

HB 624, introduced by Harris, referred to Taxation.

HB 625, introduced by Ankney, referred to Appropriations.

HB 626, introduced by Osmundson, referred to Appropriations.

HB 627, introduced by Osmundson, referred to Appropriations.

HB 628, introduced by Steenberg, Lavin, referred to Appropriations.

HB 629, introduced by Williams, Dick Barrett, Salomon, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative D. Jones in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 22 - Senate Amendments - Representative Dudik moved Senate amendments to **HB 22** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven,

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Glimm, Harris, Howard, Kary, Kerns, O'Neil, Schwaderer, C. Smith, Warburton.

Total 14

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 65 - Senate Amendments - Representative Pomnichowski moved Senate amendments to **HB 65** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 70

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Randall, Redfield, Salomon, Schwaderer, C. Smith, Wagoner, Zolnikov.

Total 30

Voted Absentee: Brockie, Swanson, Aye; McNiven, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

HB 76 - Representative Pease-Lopez moved **HB 76** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: White.
Total 1

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 303 - Representative Kerns moved **HB 303** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 51

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Howard, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 49

Voted Absentee: McNiven, Aye; Brockie, Swanson, No.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 463 - Senate Amendments - Representative G. Bennett moved Senate amendments to **HB 463** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Coffin, Kerns, Miller, Regier, Zolnikov.

Total 5

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: B. Bennett, Williams.

Total 2

SB 11 - Representative Curtis moved **SB 11** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

Nays: J. Bennett, Brodehl, Doane, Fitzpatrick, Glimm, Hagstrom, Kerns, Regier, Zolnikov.
Total 9

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.
Total 0

Absent or not voting: Berry.
Total 1

SB 18 - Representative Connell moved **SB 18** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 78

Nays: B. Bennett, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Hill, Lynch, MacDonald, McClafferty, Neill, Noonan, Pease-Lopez, Pomnichowski, Swanson, Whitford, Williams, Wilson, Woods.
Total 21

Voted Absentee: McNiven, Aye; Brockie, Swanson, No.

Excused: None.
Total 0

Absent or not voting: Squires.
Total 1

SB 48 - Representative Doane moved **SB 48** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara,

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Jones.

Total 1

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: Berry, Cook.

Total 2

SB 122 - Representative B. Bennett moved **SB 122** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kerns, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 75

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Fiscus, Flynn, Glimm, Halvorson, Hansen, Harris, Howard, Kary, Knudsen, Laszloffy, Lenz, Miller, Osmundson, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Zolnikov, Mr. Speaker.

Total 25

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 133 - Representative Wagoner moved **SB 133** do pass.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

SB 133 - Representative Wagoner moved **SB 133**, second reading copy, be amended as follows:

1. Title, page 1, line 7 through line 8.

Strike: "DELETING" through "WEAPON;"

2. Page 2, line 8.

Following: "THROUGH"

Insert: "(1)(f),"

3. Page 2, line 19.

Following: "~~weapon.~~"

Insert: "It is not a defense that the person had a valid permit to carry a concealed weapon."

Amendment **not** adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 48

Nays: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 52

Voted Absentee: Brockie, Swanson, Aye; McNiven, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 133 - Representative Wagoner moved **SB 133** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier,

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Voted Absentee: McNiven, Aye; Brockie, Swanson, No.

Excused: None.

Total 0

Absent or not voting: Jacobson.

Total 1

SB 194 - Representative Gursky moved **SB 194** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Flynn, Galt, Gibson, Gursky, Hagstrom, Halvorson, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Kerns, Knudsen, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Randall, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 65

Nays: Ballance, Berry, Brodehl, Cuffe, Ehli, Fitzpatrick, Glimm, Greef, Hagan, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Kary, Lang, Lavin, Lenz, McNiven, Moore, O'Hara, Osmundson, Pierson, Redfield, Regier, Reichner, Salomon, C. Smith, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 35

Voted Absentee: Brockie, Swanson, Aye; McNiven, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair D. Jones moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, McChesney, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.
Total 79

Nays: B. Bennett, Boland, Cook, Court, Dudik, Eck, Fitzpatrick, Gursky, Jones, Lavin, MacDonald, McCarthy, McClafferty, Pomnichowski, Squires, Williams, Wilson, Woods.
Total 18

Voted Absentee: None.

Excused: Brockie, McNiven, Swanson.
Total 3

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 298 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Curtis, Doane, Dudik, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

Nays: Court, Eck, Kerns, MacDonald, Pomnichowski.

Total 5

Voted Absentee: None

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: Cuffe, Fiscus.

Total 2

SB 45 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Boss Ribs, Coffin, Cook, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.

Total 27

Voted Absentee: None

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: None.

Total 0

SB 128 concurred in as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: Schwaderer.

Total 1

SB 134 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

Nays: Ballance, Berry, Brodehl, Doane, Glimm, Kerns, Miller, O'Neil, Randall, Redfield, Schwaderer, Vance, Zolnikov.

Total 13

Voted Absentee: None

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: Hoven.

Total 1

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 23, 2013

MOTIONS

Representative Williams moved to change her vote on **HB 303** from Not Voting to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, March 25, 2013. Motion carried.

House adjourned at 9:50 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House